IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21796 of 2005

Between:

Gyanoba, S/o Peeraiah, Occupation: Fair Price Shop

Dealer, Shelgira Village, Manoor Mandal,

Medak District.

..... PETITIONER

AND

1. The District Collector, Medak District

at Sangareddy, Medak District and 8 others

.....RESPONDENTS

The Court made the following:

ORDER:

Questioning the action of the first respondent in passing the impugned order dated 22.09.2005 in Proceedings No.CSA/6/REV/2005, staying the orders of the second respondent passed in case No.CSA/11/A/2005, dated 1.8.2005, the present writ petition has been filed.

The case of the petitioner is that he was appointed as a Fair Price Shop Dealer of Shelgira village, Manoor Mandal, Medak District. Basing on a complaint given by the

4th respondent, the 3rd respondent issued a show cause notice to the petitioner and thereafter, without affording any opportunity of hearing the petitioner and without considering the merits, cancelled his authorization. Against the said orders, he filed an appeal before the 2nd respondent in which the 2nd respondent, without suspending the orders of the second respondent, ordered not to notify fresh vacancy. Thereafter, the first respondent disposed of the said revision petition on the ground that as the appeal is still pending before the 2nd respondent, the revision petition cannot be allowed. Challenging the orders of the first respondent, the petitioner filed a writ petition in W.P.No.14095 of 2005 in which this Court directed the 2nd respondent to dispose of the appeal. By virtue of the said orders, the 2nd respondent, after hearing the matter, passed an order on 01.08.2005 in File No.CSA/11/A/2005. Even though the second respondent directed the 3rd respondent to release the quota to the petitioner, he did not do so. More over, the 3rd respondent colluded with respondents 6 to 9 and managed to file a revision before the first respondent in which the first respondent stayed the orders of the second respondent.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and Sri K.B. Ramana Dora, the learned counsel appearing for the respondents 5 to 9.

Admittedly, a revision petition is pending before the first respondent against the orders passed by the Joint Collector, Medak in File No.CSA/11/A/2005, dated 01.08.2005, and hence, it is only for the first respondent to take appropriate decision on the revision petition filed by the fifth respondent.

In that view of the matter, in view of the fact that the first respondent has to take appropriate decision on the revision petition, I do not find any justifiable reason to go into the merits of the case.

Therefore, without going into the merits of the case, I deem it appropriate to direct the first respondent to dispose of the revision filed by the 5th respondent within a period

of four (4) weeks from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No costs.

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(K.C. BHANU, J)

Date: 06.10.2005

Ksn